

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

In the Matter of	)	ET Docket No. 04-295
	)	
Communications Assistance for	)	RM-10865
Law Enforcement Act and	)	
Broadband Access and Services	)	
	)	

**COMMENTS OF THE  
SATELLITE INDUSTRY ASSOCIATION ON  
USTA PETITION FOR RECONSIDERATION**

The Satellite Industry Association (“SIA”) respectfully submits these Comments in support of the U.S. Telecom Association’s (“USTA”) Petition for Reconsideration<sup>1/</sup> of the *First Report and Order and Further Notice of Proposed Rulemaking* (“*Order and FNPRM*”) in the above-captioned proceeding.<sup>2/</sup>

SIA is a U.S.-based trade association providing worldwide representation of leading satellite operators, service providers, manufacturers, launch services providers and ground equipment suppliers.<sup>3/</sup> Given the broad range of satellite-based communications services and the critical importance of satellite systems in the Global

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<sup>1/</sup> Petition for Reconsideration and for Clarification of the *CALEA Applicability Order*, ET Docket No. 04-295, RM-10865 (submitted November 14, 2005) (“USTA Petition”).

<sup>2/</sup> *In the Matter of Communications Assistance For Law Enforcement Act and Broadband Access Services*, First Report and Order and Further Notice of Proposed Rulemaking, ET Docket No. 04-295, RM-10865 (rel. September 23, 2005).

<sup>3/</sup> SIA’s Executive Members include The Boeing Company; Globalstar LLC.; Hughes Network Systems, LLC.; ICO Global Communications; Intelsat; Iridium Satellite, LLC; Lockheed Martin Corp.; Loral Space & Communications Ltd.; Mobile Satellite Ventures; Northrop Grumman Corporation; PanAmSat Corporation; and SES Americom, Inc. SIA’s Associate Members include Eutelsat Inc.; Inmarsat Ltd.; New Skies Satellites, Inc.; Stratos Global Corporation; and The DirecTV Group.

Information Infrastructure, SIA and its member companies share a strong interest in ensuring the appropriate implementation of the Communications Assistance for Law Enforcement Act (“CALEA”).

SIA encourages the Commission to link the 18-month compliance timeframe for implementing CALEA capabilities to the effective date of the forthcoming CALEA capabilities order rather than to the effective date of the *Order and FNPRM*. As both USTA and the Information Technology Industry Council<sup>4/</sup> have made clear, there is still a substantial amount of work to be done -- and a number of critical infrastructure questions to be answered -- before service providers can fully implement the Commission’s CALEA directives, which themselves remain a work in progress.<sup>5/</sup> Requiring compliance with unannounced CALEA requirements based on the effective date of the *Order and FNPRM* places service providers in a precarious position because the important details of those requirements remain uncertain.

Moreover, the FNPRM itself seeks comment on the scope and implementation of the Order, and additional comment may be warranted once the capabilities order is released. Service providers simply will not know the extent of their duties under CALEA until such duties are adopted by the Commission in the forthcoming CALEA capabilities order. Accordingly, SIA urges the Commission to link the time frame for compliance to the effective date of that order.

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<sup>4/</sup> Comments of the Information Technology Council, ET Docket No. 04-295, RM-10865, at 6-9 (submitted November 14, 2005) (“Comments of ITI”).

<sup>5/</sup> In the *Order and FNPRM*, the Commission indicated that it would adopt capability requirements for broadband access and VoIP service providers “in a future order.” *Order and FNPRM* at ¶ 46.

For the foregoing reasons, SIA supports the USTA Petition and urges the Commission to commence the 18-month compliance time period discussed in the *Order and FNPRM* on the effective date of the forthcoming CALEA capabilities order.

Respectively submitted,

SATELLITE INDUSTRY ASSOCIATION

A handwritten signature in dark ink, appearing to read "David Cavossa", written in a cursive style.

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January 19, 2005